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NO CHANGE in Class. ☐

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Class. CHANGED TO: TS S (C)

DDA Memo, 4 Apr 77

Auth: DDA REG. 77/1763

Date: 14/02/78 By:

2 December 1955

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MEMORANDUM FOR THE RECORD

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SUBJECT:

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1. Mr. Samuel C. Borzilleri, Attorney-at-Law, has written several letters to this Office regarding a compilation entitled  of the Office of Training.  is a collection of statements by Communists or which shed light on Communists and Communism, drawn from overt sources. These quotations were put into final form and reproduced in paper volumes by the Agency and then used by the author in courses which he conducts here.

2. Permission was obtained from the Agency by the author to copyright the book, which was done on 3 May 1955 under a pen name. As part of the arrangement, the author gave the Government a written license to reproduce for official Government use all or any part of the work in question. This license, dated 3 May 1955, is in our files.

3. Mr. Borzilleri has written our Office requesting that the license be canceled on the ground that the Government was not entitled to require a license in the situation we have here. He cites a number of court cases but these indicate that the Government would be entitled to a royalty-free license.

STATINTL

, formerly of our Office, was in town several days ago. He said he had looked into the matter rather thoroughly at the time he drew up the license agreement and is of the opinion that the Government had a right to require this. I have also discussed the situation with Mr.  who stated that he is perfectly satisfied for the Government to have this license.

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4. Mr. Borzilleri is attempting to make arrangements for publication of [redacted] " He expects that the principal purchaser may be the United States Government, particularly USIA and the Department of Defense. It is quite possible that these agencies will purchase the books at the going price for the quantities in question and will not go into the matter of royalties which will be paid by the publisher to the author. The Government has a right to print these books itself under the license agreement, but if it chooses to purchase them from a publisher instead, I do not know of any prohibition against paying the usual price. This is a matter for negotiation between the publisher and the purchasing Agency. Mr. Borzilleri agreed with this in a recent conversation. He indicated that he will sound out USIA on the matter and that we can disregard the request to cancel the license unless we hear from him again.

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Assistant General Counsel

OGC/RGH:pkb

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